

107TH CONGRESS
1ST SESSION

S. 953

To establish a Blue Ribbon Study Panel and an Election Administration Commission to study voting procedures and election administration, to provide grants to modernize voting procedures and election administration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 24, 2001

Mr. McCONNELL (for himself, Mr. SCHUMER, Mr. TORRICELLI, Mr. BROWNBACK, Mr. ALLARD, Mr. AKAKA, Mr. ALLEN, Mr. BAYH, Mr. BENNETT, Mrs. BOXER, Mr. BUNNING, Mr. BREAUX, Mr. BURNS, Ms. CANTWELL, Mr. CAMPBELL, Mr. CHAFEE, Mr. CLELAND, Ms. COLLINS, Mrs. CLINTON, Mr. CRAIG, Mr. CONRAD, Mr. CRAPO, Mr. CORZINE, Mr. DEWINE, Mr. DASCHLE, Mr. DOMENICI, Mr. DAYTON, Mr. ENSIGN, Mr. DURBIN, Mr. ENZI, Mr. EDWARDS, Mr. FRIST, Mr. GRAHAM, Mr. GRAMM, Mr. INOUE, Mr. GREGG, Mr. JOHNSON, Mr. HATCH, Mr. KENNEDY, Mr. HELMS, Mr. KERRY, Mrs. HUTCHISON, Mr. KOHL, Mr. JEFFORDS, Ms. LANDRIEU, Mr. LOTT, Mr. LEAHY, Mr. LUGAR, Ms. MIKULSKI, Mr. NELSON of Nebraska, Mr. MURKOWSKI, Mr. NELSON of Florida, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANTORUM, Mr. WELLSTONE, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH of New Hampshire, Mr. SMITH of Oregon, Mr. SPECTER, Mr. STEVENS, Mr. THOMAS, Mr. THOMPSON, Mr. WARNER, Mrs. CARNAHAN, Mr. THURMOND, and Mr. GRASSLEY) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To establish a Blue Ribbon Study Panel and an Election Administration Commission to study voting procedures and election administration, to provide grants to modernize voting procedures and election administration, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
 5 “Bipartisan Federal Election Reform Act of 2001”.

6 (b) TABLE OF CONTENTS.—The table of contents of
 7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—BLUE RIBBON STUDY PANEL

Sec. 101. Establishment of the Blue Ribbon Study Panel.
 Sec. 102. Membership of the Panel.
 Sec. 103. Duties of the Panel.
 Sec. 104. Meetings of the Panel.
 Sec. 105. Powers of the Panel.
 Sec. 106. Panel personnel matters.
 Sec. 107. Termination of the Panel.
 Sec. 108. Authorization of appropriations.

TITLE II—ELECTION ADMINISTRATION COMMISSION

Sec. 201. Establishment of the Election Administration Commission.
 Sec. 202. Membership of the Commission.
 Sec. 203. Duties of the Commission.
 Sec. 204. Federal Election Reform Grant Program.
 Sec. 205. Meetings of the Commission.
 Sec. 206. Powers of the Commission.
 Sec. 207. Commission personnel matters.
 Sec. 208. Authorization of appropriations.
 Sec. 209. Offset of authorized spending.

TITLE III—ELECTION ADMINISTRATION ADVISORY BOARD

Sec. 301. Establishment of the Election Administration Advisory Board.
 Sec. 302. Membership of the Board.
 Sec. 303. Duty of the Board.
 Sec. 304. Meetings of the Board.
 Sec. 305. Voting.
 Sec. 306. Board personnel matters.
 Sec. 307. Termination of the Board.
 Sec. 308. Authorization of appropriations.

TITLE IV—TRANSITION PROVISIONS

Subtitle A—Transfer to Election Administration Commission of Functions
 Under Certain Laws

Sec. 401. Federal Election Campaign Act of 1971.

Sec. 402. Uniformed and Overseas Citizens Absentee Voting Act.
 Sec. 403. National Voter Registration Act of 1993.
 Sec. 404. Transfer of property, records, and personnel.
 Sec. 405. Effective date; transition.

Subtitle B—Coverage of Election Administration Commission Under Certain
 Laws and Programs

Sec. 411. Treatment of Commission personnel under certain civil service laws.
 Sec. 412. Coverage under Inspector General Act of 1978.

TITLE V—ABSENT UNIFORMED SERVICES VOTERS

Sec. 501. Maximizing access to the polls by absent uniformed services voters.

TITLE VI—MISCELLANEOUS

Sec. 601. Relationship to other laws.

1 **TITLE I—BLUE RIBBON STUDY**
 2 **PANEL**

3 **SEC. 101. ESTABLISHMENT OF THE BLUE RIBBON STUDY**
 4 **PANEL.**

5 There is established the Blue Ribbon Study Panel (in
 6 this title referred to as the “Panel”).

7 **SEC. 102. MEMBERSHIP OF THE PANEL.**

8 (a) NUMBER AND APPOINTMENT.—The Panel shall
 9 be composed of 12 members as follows:

10 (1) 3 members appointed by the Majority Lead-
 11 er of the Senate.

12 (2) 3 members appointed by the Minority Lead-
 13 er of the Senate.

14 (3) 3 members appointed by the Speaker of the
 15 House of Representatives.

16 (4) 3 members appointed by the Minority Lead-
 17 er of the House of Representatives.

1 (b) QUALIFICATIONS.—

2 (1) IN GENERAL.—Members appointed under
3 subsection (a) shall be chosen on the basis of experi-
4 ence, integrity, impartiality, and good judgment.

5 (2) PARTY AFFILIATION.—Not more than 6 of
6 the 12 members appointed under subsection (a) may
7 be affiliated with the same political party.

8 (3) FEDERAL OFFICERS AND EMPLOYEES.—
9 Members appointed under subsection (a) shall be in-
10 dividuals who, at the time appointed to the Panel,
11 are not elected or appointed officers or employees of
12 the Federal Government.

13 (c) BALANCE REQUIRED.—The Panel shall reflect, to
14 the maximum extent possible, fair and equitable represen-
15 tation of various points of view with respect to the matters
16 to be studied by the Panel under section 103, and regional
17 and geographical balance among the members of the
18 Panel.

19 (d) DATE OF APPOINTMENT.—The appointments of
20 the members of the Panel shall be made not later than
21 30 days after the date of enactment of this Act.

22 (e) PERIOD OF APPOINTMENT; VACANCIES.—

23 (1) PERIOD OF APPOINTMENT.—Each member
24 of the Panel shall be appointed for the life of the
25 Panel.

1 (2) VACANCIES.—A vacancy in the Panel shall
 2 not affect its powers, but shall be filled in the man-
 3 ner in which the original appointment was made.

4 (f) CHAIRPERSON; VICE CHAIRPERSON.—

5 (1) IN GENERAL.—The Panel shall elect a
 6 chairperson and vice chairperson from among its
 7 members.

8 (2) POLITICAL AFFILIATION.—The chairperson
 9 and vice chairperson may not be affiliated with the
 10 same political party.

11 **SEC. 103. DUTIES OF THE PANEL.**

12 (a) STUDY.—The Panel shall complete a thorough
 13 study of—

14 (1) current and alternate methods and mecha-
 15 nisms of voting and counting votes in elections for
 16 Federal office;

17 (2) current and alternate ballot designs for elec-
 18 tions for Federal office;

19 (3) current and alternate methods of voter reg-
 20 istration, maintaining secure and accurate lists of
 21 registered voters (including the establishment of a
 22 centralized, interactive, statewide voter registration
 23 list linked to relevant agencies and all polling sites),
 24 and ensuring that all registered voters appear on the
 25 polling list at the appropriate polling site;

1 (4) current and alternate methods of con-
2 ducting provisional voting that include notice to the
3 voter regarding the disposition of the ballot;

4 (5) current and alternate methods of ensuring
5 the accessibility of voting, registration, polling
6 places, and voting equipment to all voters, including
7 blind and disabled voters and voters with limited
8 English proficiency;

9 (6) current and alternate methods of voter reg-
10 istration for members of the Armed Forces and
11 overseas voters, and methods of ensuring that such
12 voters timely receive ballots that will be properly and
13 expeditiously handled and counted;

14 (7) current and alternate methods of recruiting
15 and improving the performance of poll workers;

16 (8) Federal and State laws governing the eligi-
17 bility of persons to vote;

18 (9) current and alternate methods of educating
19 voters about the process of registering to vote and
20 voting, the operation of voting mechanisms, the loca-
21 tion of polling places, and all other aspects of par-
22 ticipating in elections;

23 (10) matters particularly relevant to voting and
24 administering elections in rural and urban areas;

1 (11) conducting elections for Federal office on
 2 different days, at different places, and during dif-
 3 ferent hours, including the advisability of estab-
 4 lishing a uniform poll closing time; and

5 (12) the ways that the Federal Government can
 6 best assist State and local authorities to improve the
 7 administration of elections for Federal office and
 8 what levels of funding would be necessary to provide
 9 such assistance.

10 (b) RECOMMENDATIONS.—

11 (1) RECOMMENDATIONS OF BEST PRACTICES IN
 12 VOTING AND ELECTION ADMINISTRATION.—After
 13 studying the matters set forth in paragraphs (1)
 14 through (11) of subsection (a), the Panel shall de-
 15 velop recommendations regarding each matter and
 16 indicate which methods of voting and administering
 17 elections studied by the Panel under such para-
 18 graphs would—

19 (A) be most convenient, accessible, and
 20 easy to use for voters in elections for Federal
 21 office, including members of the Armed Forces,
 22 blind and disabled voters, and voters with lim-
 23 ited English proficiency;

(B) yield the most accurate, secure, and expeditious system, voting, and election results in elections for Federal office;

(C) be nondiscriminatory and afford each registered and eligible voter an equal opportunity to vote; and

(D) be most efficient and cost-effective for use in elections for Federal office.

(2) RECOMMENDATIONS FOR PROVIDING ASSISTANCE IN FEDERAL ELECTIONS.—After studying the matter set forth in subsection (a)(12), the Panel shall recommend how the Federal Government can best provide assistance to State and local authorities to improve the administration of elections for Federal office and what levels of funding will be necessary to provide such assistance.

(c) REPORTS.—

(1) FINAL REPORT.—

(A) IN GENERAL.—Not later than the date that is 6 months after the date on which all the members of the Panel have been appointed, the Panel shall submit a final report to Congress and the Election Administration Commission established under section 201.

1 (B) CONTENTS.—The final report sub-
 2 mitted under subparagraph (A) shall contain a
 3 detailed statement of the findings and conclu-
 4 sions of the Panel as to the matters studied
 5 under subsection (a), a detailed statement of
 6 the recommendations developed under sub-
 7 section (b), and any dissenting or minority
 8 opinions of the members of the Panel.

9 (2) INTERIM REPORTS.—The Panel may deter-
 10 mine whether any matter to be studied under sub-
 11 section (a), and any recommendation under sub-
 12 section (b), shall be the subject of an interim report
 13 submitted as described in paragraph (1)(A) prior to
 14 the final report required under paragraph (1), and
 15 in time for full or partial implementation before the
 16 elections for Federal office held in 2002.

17 **SEC. 104. MEETINGS OF THE PANEL.**

18 (a) IN GENERAL.—The Panel shall meet at the call
 19 of the chairperson.

20 (b) INITIAL MEETING.—Not later than 20 days after
 21 the date on which all the members of the Panel have been
 22 appointed, the Panel shall hold its first meeting.

23 (c) QUORUM.—A majority of the members of the
 24 Panel shall constitute a quorum, but a lesser number of
 25 members may hold hearings.

1 **SEC. 105. POWERS OF THE PANEL.**

2 (a) HEARINGS.—

3 (1) IN GENERAL.—The Panel may hold such
4 hearings for the purpose of carrying out this title,
5 sit and act at such times and places, take such testi-
6 mony, and receive such evidence as the Panel con-
7 siders advisable to carry out this title.

8 (2) OATHS AND AFFIRMATIONS.—The Panel
9 may administer oaths and affirmations to witnesses
10 appearing before the Panel.

11 (3) OPEN HEARINGS.—All hearings of the
12 Panel shall be open to the public.

13 (b) VOTING.—Each action of the Panel shall be ap-
14 proved by a majority vote of the members of the Panel.
15 Each member of the Panel shall have 1 vote.

16 (c) INFORMATION FROM FEDERAL AGENCIES.—The
17 Panel may secure directly from any Federal department
18 or agency such information as the Panel considers nec-
19 essary to carry out this title. Upon request of the Panel,
20 the head of such department or agency shall furnish such
21 information to the Panel.

22 (d) WEBSITE.—For purposes of conducting the study
23 under section 103(a), the Panel may establish a website
24 to facilitate public comment and participation. The Panel
25 shall make all information on its website available in print.

1 (e) POSTAL SERVICES.—The Panel may use the
2 United States mails in the same manner and under the
3 same conditions as other departments and agencies of the
4 Federal Government.

5 (f) ADMINISTRATIVE SUPPORT SERVICES.—Upon the
6 request of the Panel, the Administrator of General Serv-
7 ices shall provide to the Panel, on a reimbursable basis,
8 the administrative support services that are necessary to
9 enable the Panel to carry out its duties under this title.

10 (g) CONTRACTS.—The Panel may contract with and
11 compensate persons and Federal agencies for supplies and
12 services without regard to section 3709 of the Revised
13 Statutes (41 U.S.C. 5).

14 **SEC. 106. PANEL PERSONNEL MATTERS.**

15 (a) COMPENSATION OF MEMBERS.—Each member of
16 the Panel shall be compensated at a rate equal to the daily
17 equivalent of the annual rate of basic pay prescribed for
18 level IV of the Executive Schedule under section 5315 of
19 title 5, United States Code, for each day (including travel
20 time) during which such member is engaged in the per-
21 formance of the duties of the Panel.

22 (b) TRAVEL EXPENSES.—The members of the Panel
23 shall be allowed travel expenses, including per diem in lieu
24 of subsistence, at rates authorized for employees of agen-
25 cies under subchapter I of chapter 57 of title 5, United

1 States Code, while away from their homes or regular
2 places of business in the performance of services for the
3 Panel.

4 (c) STAFF.—

5 (1) IN GENERAL.—The Panel may, without re-
6 gard to the provisions of title 5, United States Code,
7 governing appointments in the competitive service,
8 appoint and terminate an executive director and
9 such other additional personnel as may be necessary
10 to enable the Panel to perform its duties. The em-
11 ployment of an executive director shall be subject to
12 confirmation by the Panel.

13 (2) COMPENSATION.—The Panel may fix the
14 compensation of the executive director and other
15 personnel without regard to chapter 51 and sub-
16 chapter III of chapter 53 of title 5, United States
17 Code, relating to classification of positions and Gen-
18 eral Schedule pay rates, except that the rate of pay
19 for the executive director and other personnel may
20 not exceed the rate payable for level V of the Execu-
21 tive Schedule under section 5316 of such title.

22 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any
23 Federal Government employee may be detailed to the
24 Panel without reimbursement, and such detail shall be

1 without interruption or loss of civil service status or privi-
2 lege.

3 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-
4 TENT SERVICES.—The Panel may procure temporary and
5 intermittent services under section 3109(b) of title 5,
6 United States Code, at rates for individuals which do not
7 exceed the daily equivalent of the annual rate of basic pay
8 prescribed for level V of the Executive Schedule under sec-
9 tion 5316 of such title.

10 **SEC. 107. TERMINATION OF THE PANEL.**

11 The Panel shall terminate 30 days after the date on
12 which the Panel submits its final report under section
13 103(c)(1).

14 **SEC. 108. AUTHORIZATION OF APPROPRIATIONS.**

15 (a) IN GENERAL.—There are authorized to be appro-
16 priated such sums as may be necessary to carry out this
17 title.

18 (b) AVAILABILITY.—Any sums appropriated under
19 the authorization contained in this section shall remain
20 available, without fiscal year limitation, until expended.

1 **TITLE II—ELECTION**
2 **ADMINISTRATION COMMISSION**
3 **SEC. 201. ESTABLISHMENT OF THE ELECTION ADMINISTRATION**
4 **COMMISSION.**

5 There is established the Election Administration
6 Commission (in this title referred to as the “Commission”)
7 as an independent establishment (as defined in section
8 104 of title 5, United States Code).

9 **SEC. 202. MEMBERSHIP OF THE COMMISSION.**

10 (a) NUMBER AND APPOINTMENT.—

11 (1) COMPOSITION.—The Commission shall be
12 composed of 8 members appointed by the President,
13 by and with the advice and consent of the Senate.

14 (2) RECOMMENDATIONS.—Prior to the initial
15 appointment of the members of the Commission and
16 prior to the appointment of any individual to fill a
17 vacancy on the Commission, the Majority Leader of
18 the Senate, the Speaker of the House of Representa-
19 tives, the Minority Leader of the Senate, and the
20 Minority Leader of the House of Representatives
21 shall each submit to the President a candidate rec-
22 ommendation with respect to each vacancy on the
23 Commission affiliated with the political party of the
24 officer involved.

25 (b) QUALIFICATIONS.—

1 (1) IN GENERAL.—Members appointed under
2 subsection (a) shall be chosen on the basis of experi-
3 ence, integrity, impartiality, and good judgment.

4 (2) PARTY AFFILIATION.—Not more than 4 of
5 the 8 members appointed under subsection (a) may
6 be affiliated with the same political party.

7 (3) FEDERAL OFFICERS AND EMPLOYEES.—
8 Members appointed under subsection (a) shall be in-
9 dividuals who, at the time appointed to the Commis-
10 sion, are not elected or appointed officers or employ-
11 ees of the Federal Government.

12 (4) OTHER ACTIVITIES.—No member appointed
13 to the Commission under subsection (a) may engage
14 in any other business, vocation, or employment while
15 serving as a member of the Commission and shall
16 terminate or liquidate such business, vocation, or
17 employment not later than the date on which the
18 Commission first meets.

19 (c) DATE OF APPOINTMENT.—The appointments of
20 the members of the Commission shall be made not later
21 than 60 days after the date of enactment of this Act.

22 (d) PERIOD OF APPOINTMENT; VACANCIES.—

23 (1) PERIOD OF APPOINTMENT.—Members shall
24 be appointed for a term of 4 years, except that of
25 the members first appointed—

1 (A) 4 of the members, not more than 2 of
2 whom may be affiliated with the same political
3 party, shall be appointed for a term of 5 years;
4 and

5 (B) 4 of the members, not more than 2 of
6 whom may be affiliated with the same political
7 party, shall be appointed for 4 years.

8 (2) VACANCIES.—

9 (A) IN GENERAL.—A vacancy on the Com-
10 mission shall not affect its powers, but be filled
11 in the manner in which the original appoint-
12 ment was made. The appointment made to fill
13 the vacancy shall be subject to any conditions
14 which applied with respect to the original ap-
15 pointment.

16 (B) EXPIRED TERMS.—A member of the
17 Commission may serve on the Commission after
18 the expiration of the member's term until the
19 successor of such member has taken office as a
20 member of the Commission.

21 (C) UNEXPIRED TERMS.—An individual
22 chosen to fill a vacancy on the Commission oc-
23 ccurring prior to the expiration of the term for
24 which the individual's predecessor was ap-

1 pointed shall be appointed for the unexpired
2 term of the member replaced.

3 (e) CHAIRPERSON; VICE CHAIRPERSON.—

4 (1) IN GENERAL.—The Commission shall elect
5 a chairperson and vice chairperson from among its
6 members for a term of 1 year.

7 (2) NUMBER OF TERMS.—A member of the
8 Commission may serve as the chairperson only once
9 during any term of office to which such member is
10 appointed.

11 (3) POLITICAL AFFILIATION.—The chairperson
12 and vice chairperson may not be affiliated with the
13 same political party.

14 **SEC. 203. DUTIES OF THE COMMISSION.**

15 The Commission—

16 (1)(A) not later than 30 days after receipt of
17 the recommendations of the Blue Ribbon Study
18 Panel (in this title referred to as the “Panel”), shall
19 adopt or modify any recommendation of the Panel
20 developed under subsection (b) of section 103 and
21 submitted to the Commission under subsection (c) of
22 such section; and

23 (B) may update the recommendations adopted
24 or modified under subparagraph (A) at least once
25 every 4 years;

1 (2) not later than 6 months after the date of
2 enactment of this Act, shall issue or adopt updated
3 voting system standards and update such standards
4 at least once every 4 years;

5 (3) shall advise States regarding compliance
6 with the requirements of the Voting Accessibility for
7 the Elderly and Handicapped Act (42 U.S.C. 1973ee
8 et seq.) and compliance with other Federal laws re-
9 garding accessibility of registration facilities and
10 polling places to blind and disabled voters;

11 (4) shall have primary responsibility to carry
12 out Federal functions under title I of the Uniformed
13 and Overseas Citizens Absentee Voting Act (42
14 U.S.C. 1973ff et seq.) as the Presidential designee;

15 (5) shall serve as a clearinghouse, gather infor-
16 mation, conduct studies, and issue reports con-
17 cerning issues relating to Federal, State, and local
18 elections;

19 (6) shall carry out the provisions of section 9
20 of the National Voter Registration Act of 1993 (42
21 U.S.C. 1973gg-7);

22 (7) shall make available information regarding
23 the Federal election system to the public and media;

24 (8) shall assemble and make available bipar-
25 tisan panels of election professionals to assist any

1 State election official, upon request, in review of
 2 election or vote counting procedures in Federal,
 3 State, and local elections;

4 (9) shall compile and make available to the pub-
 5 lic the official certified results of elections for Fed-
 6 eral office and statistics regarding national voter
 7 registration and turnout; and

8 (10) shall administer the Federal Election Re-
 9 form Grant Program established under section 204.

10 **SEC. 204. FEDERAL ELECTION REFORM GRANT PROGRAM.**

11 (a) ESTABLISHMENT OF THE FEDERAL ELECTION
 12 REFORM GRANT PROGRAM.—There is established the
 13 Federal Election Reform Grant Program under which the
 14 Commission is authorized to award grants to States and
 15 localities to pay the Federal share of the costs of the ac-
 16 tivities described in subsection (d).

17 (b) APPLICATION FOR FEDERAL ELECTION REFORM
 18 GRANTS.—

19 (1) IN GENERAL.—Each State or locality that
 20 desires to receive a grant under this section shall
 21 submit an application to the Commission at such
 22 time, in such manner, and containing such informa-
 23 tion as the Commission shall require (consistent with
 24 the provisions of this section).

(2) CONTENTS.—Each application submitted under paragraph (1) shall—

(A) describe the activities for which assistance under this section is sought;

(B) contain a request for certification by the Assistant Attorney General for Civil Rights (in this section referred to as the “Assistant Attorney General”) described in paragraph (3);

(C) provide assurances that the State or locality will pay the non-Federal share of the cost of the activities for which assistance is sought from non-Federal sources; and

(D) provide such additional assurances as the Commission determines to be essential to ensure compliance with the requirements of this section.

(3) REQUEST FOR CERTIFICATION BY ASSISTANT ATTORNEY GENERAL.—

(A) IN GENERAL.—Except as provided in subparagraph (B), each request for certification described in subsection (b)(2)(B) shall contain a specific and detailed demonstration that the State or locality—

(i)(I) is in compliance with the Voting Rights Act of 1965 (42 U.S.C. 1973 et

1 seq.), including sections 4(f)(4) and 203 of
2 such Act (42 U.S.C. 1973b(f)(4) and
3 1973aa–1a), the National Voter Registra-
4 tion Act of 1993 (42 U.S.C. 1973gg et
5 seq.), and the Voting Accessibility for the
6 Elderly and Handicapped Act (42 U.S.C.
7 1973ee et seq.);

8 (II) is in compliance with the Ameri-
9 cans with Disabilities Act of 1990 (42
10 U.S.C. 12101 et seq.) and the Rehabilita-
11 tion Act of 1973 (29 U.S.C. 701 et seq.)
12 in conducting elections for Federal office;
13 and

14 (III) provides blind and disabled vot-
15 ers a verifiable opportunity to vote under
16 the same conditions of privacy and inde-
17 pendence as nonvisually impaired or non-
18 disabled voters at each polling place;

19 (ii) permits provisional voting or will
20 implement a method of provisional voting
21 (including notice to the voter regarding the
22 disposition of the ballot) consistent with
23 the recommendation adopted or modified
24 by the Commission under section 203(1);

1 (iii) has implemented safeguards to
2 ensure that—

3 (I) the State or locality main-
4 tains an accurate and secure list of
5 registered voters listing those voters
6 legally registered and eligible to vote;
7 and

8 (II) only voters who are not le-
9 gally registered or who are not eligible
10 to vote are removed from the list of
11 registered voters;

12 (iv) has implemented safeguards to
13 ensure that members of the Armed Forces
14 and voters outside the United States have
15 the opportunity to vote and to have their
16 vote counted; and

17 (v) provides for voter education pro-
18 grams and poll worker training programs
19 consistent with the recommendations
20 adopted by the Commission under section
21 203(1).

22 (B) APPLICANTS UNABLE TO MEET RE-
23 QUIREMENTS.—Each State or locality that, at
24 the time it applies for a grant under this sec-
25 tion, does not demonstrate that it meets each

1 requirement described in subparagraph (A),
 2 shall submit to the Commission a detailed and
 3 specific demonstration of how the State or lo-
 4 cality intends to use grant funds to meet each
 5 such requirement.

6 (c) APPROVAL OF APPLICATIONS.—

7 (1) IN GENERAL.—Subject to paragraphs (2)
 8 and (3), the Commission shall establish general poli-
 9 cies and criteria for the approval of applications sub-
 10 mitted under subsection (b)(1).

11 (2) PRIORITY BASED ON DEFICIENCIES AND
 12 NEED.—In awarding grants to States and localities
 13 under this section, the Commission shall give pri-
 14 ority to those applying States and localities that—

15 (A) have the most qualitatively or quan-
 16 titatively deficient systems of voting and admin-
 17 istering elections for Federal office; and

18 (B) have the greatest need for Federal as-
 19 sistance in implementing the recommendations,
 20 as adopted by the Commission.

21 (3) CERTIFICATION PROCEDURE.—

22 (A) IN GENERAL.—The Commission may
 23 not approve an application of a State or locality
 24 submitted under subsection (b)(1) unless the
 25 Commission has received a certification from

1 the Assistant Attorney General under subpara-
2 graph (D) with respect to such State or locality.

3 (B) TRANSMITTAL OF REQUEST.—Upon
4 receipt of the request for certification submitted
5 under subsection (b)(2)(B), the Commission
6 shall transmit such request to the Assistant At-
7 torney General.

8 (C) CERTIFICATION; NONCERTIFI-
9 CATION.—

10 (i) CERTIFICATION.—If the Assistant
11 Attorney General finds that the request for
12 certification demonstrates that a State or
13 locality meets the requirements of sub-
14 section (b)(3)(A), or that a State or local-
15 ity has provided a detailed and specific
16 demonstration of how it will use funds re-
17 ceived under this section to meet such re-
18 quirements, the Assistant Attorney General
19 shall certify that the State or locality is eli-
20 gible to receive a grant under this section.

21 (ii) NONCERTIFICATION.—If the As-
22 sistant Attorney General finds that the re-
23 quest for certification does not dem-
24 onstrate that a State or locality meets the
25 requirements of subparagraph (A) or (B)

1 of subsection (b)(3), the Assistant Attor-
2 ney General shall not certify that the State
3 or locality is eligible to receive a grant
4 under this section.

5 (D) TRANSMITTAL OF CERTIFICATION.—

6 The Assistant Attorney General shall transmit
7 to the Commission a certification under clause
8 (i) of subparagraph (C), or a notice of noncer-
9 tification under clause (ii) of such subpara-
10 graph, together with a report identifying the
11 relevant deficiencies in the State's or locality's
12 system for voting or administering elections for
13 Federal office or in the request for certification
14 submitted by the State or locality.

15 (d) AUTHORIZED ACTIVITIES.—A State or locality

16 that receives a grant under this section may use the grant
17 funds as follows:

18 (1) IN GENERAL.—Subject to paragraph (2)—

19 (A) a State or locality may use grant funds
20 to implement any recommendation adopted or
21 modified by the Commission; and

22 (B) a State or locality that does not meet
23 a certification requirement described in sub-
24 section (b)(3)(A) may use grant funds to meet
25 that certification requirement not later than the

1 first Federal election following the date on
 2 which the grant was awarded or the date that
 3 is 3 months after the date on which the grant
 4 was awarded, whichever is later.

5 (2) VOTING MECHANISM REQUIREMENTS.—Any
 6 voting mechanism purchased in whole or in part
 7 with a grant made under this section shall—

8 (A) have an error rate no higher than that
 9 prescribed by the voting systems standards
 10 issued or adopted by the Commission under sec-
 11 tion 203(2);

12 (B) in the case of a voting mechanism that
 13 is not used for absentee or mail voting—

14 (i) permit each voter to verify the vot-
 15 er's vote before a ballot is cast;

16 (ii) be capable of notifying the voter,
 17 before the ballot is cast, if such voter votes
 18 for—

19 (I) more than 1 candidate (if vot-
 20 ing for multiple candidates is not per-
 21 mitted) for an office; or

22 (II) fewer than the number of
 23 candidates for which votes may be
 24 cast for an office; and

1 (iii) provide such voter with the op-
 2 portunity to modify the voter's ballot be-
 3 fore it is cast; and

4 (C) have the audit capacity to produce a
 5 record for each ballot cast.

6 (3) COMPLIANCE WITH EXISTING LAW.—Each
 7 recipient of a grant under this section shall ensure
 8 that each activity funded (in whole or in part) with
 9 a grant awarded under this section is conducted in
 10 accordance with each law described in subsection
 11 (b)(3)(A)(i).

12 (e) PAYMENTS; FEDERAL SHARE.—

13 (1) PAYMENTS.—The Commission shall pay to
 14 each State or locality having an application approved
 15 under subsection (c) the Federal share of the costs
 16 of the activities described in subsection (d).

17 (2) FEDERAL SHARE.—

18 (A) IN GENERAL.—Except as provided in
 19 subparagraph (B), the Federal share of the
 20 costs shall be a percentage determined by the
 21 Commission that does not exceed 75 percent.

22 (B) EXCEPTION.—The Commission may
 23 provide for a Federal share of greater than 75
 24 percent of the costs for a State or locality if the
 25 Commission determines that such greater per-

1 centage is necessary due to the lack of re-
2 sources of the State or locality.

3 (f) REPORTS.—

4 (1) STATES AND LOCALITIES.—

5 (A) IN GENERAL.—Not later than the date
6 that is 6 months after the date on which a
7 State or locality receives a grant under this sec-
8 tion, such State or locality shall submit to the
9 Commission a report describing each activity
10 funded by the grant, including (if applicable)
11 sufficient evidence that the State or locality has
12 used or is using grant funds to meet the re-
13 quirements of subsection (b)(3)(A).

14 (B) TRANSMITTAL.—Upon receipt of the
15 report submitted under subparagraph (A), the
16 Commission shall transmit such report to the
17 Assistant Attorney General.

18 (2) COMMISSION.—

19 (A) IN GENERAL.—Not later than the date
20 that is 1 year after the date on which the first
21 payment is made under subsection (e)(1), and
22 annually thereafter, the Commission shall sub-
23 mit to Congress a report on the activities of the
24 Commission and the Assistant Attorney General
25 under this section.

(B) CONTENTS.—The report submitted under subparagraph (A) shall contain a description of the Federal Election Reform Grant Program established under subsection (a), a description and analysis of each grant awarded under this section, and such recommendations for legislative action as the Commission considers appropriate.

(g) AUDITS OF GRANT RECIPIENTS.—

(1) RECORDKEEPING REQUIREMENT.—Each recipient of a grant under this section shall keep such records as the Commission shall prescribe.

(2) AUDITS OF RECIPIENTS.—

(A) IN GENERAL.—The Commission—

(i) may audit any recipient of a grant under this section to ensure that funds awarded under the grant are expended in compliance with the provisions of this title; and

(ii) shall have access to any record of the recipient that the Commission determines may be related to such a grant for the purpose of conducting such an audit.

(B) OTHER AUDITS.—If the Assistant Attorney General has certified a State or locality

1 as eligible to receive a grant under this section
2 in order to meet a certification requirement de-
3 scribed in subsection (b)(3)(A) (as permitted
4 under subsection (d)(1)(B)) and such State or
5 locality is a recipient of such a grant, the As-
6 sistant Attorney General, in consultation with
7 the Commission shall, after receiving the report
8 submitted under subsection (f)(1)(A)—

9 (i) audit such recipient to ensure that
10 the recipient has achieved, or is achieving,
11 compliance with the certification require-
12 ments described in subsection (b)(3)(A);
13 and

14 (ii) shall have access to any record of
15 the recipient that the Commission deter-
16 mines may be related to such a grant for
17 the purpose of conducting such an audit.

18 (h) EFFECTIVE DATE.—The Commission shall estab-
19 lish the general policies and criteria for the approval of
20 applications submitted under subsection (b)(1) in a man-
21 ner that ensures that the Commission is able to approve
22 applications not later than 30 days after the date on which
23 the Commission adopts or modifies the recommendations
24 under section 203(1).

1 **SEC. 205. MEETINGS OF THE COMMISSION.**

2 The Commission shall meet at the call of any member
3 of the Commission, but may not meet less often than
4 monthly.

5 **SEC. 206. POWERS OF THE COMMISSION.**

6 (a) HEARINGS.—

7 (1) IN GENERAL.—The Commission may hold
8 such hearings for the purpose of carrying out this
9 title, sit and act at such times and places, take such
10 testimony, and receive such evidence as the Commis-
11 sion considers advisable to carry out this title.

12 (2) OATHS AND AFFIRMATIONS.—The Commis-
13 sion may administer oaths and affirmations to wit-
14 nesses appearing before the Commission.

15 (b) VOTING.—Each action of the Commission shall
16 be approved by a majority vote of the members of the
17 Commission. Each member of the Commission shall have
18 1 vote.

19 (c) INFORMATION FROM FEDERAL AGENCIES.—The
20 Commission may secure directly from any Federal depart-
21 ment or agency such information as the Commission con-
22 siders necessary to carry out this title. Upon request of
23 the Commission, the head of such department or agency
24 shall furnish such information to the Commission.

25 (d) POSTAL SERVICES.—The Commission may use
26 the United States mails in the same manner and under

1 the same conditions as other departments and agencies of
 2 the Federal Government.

3 (e) ADMINISTRATIVE SUPPORT SERVICES.—Upon
 4 the request of the Commission, the Administrator of Gen-
 5 eral Services shall provide to the Commission, on a reim-
 6 bursable basis, the administrative support services that
 7 are necessary to enable the Commission to carry out its
 8 duties under this title.

9 (f) WEBSITE.—The Commission shall establish a
 10 website to facilitate public comment and participation.
 11 The Commission shall make all information on its website
 12 available in print.

13 **SEC. 207. COMMISSION PERSONNEL MATTERS.**

14 (a) COMPENSATION OF MEMBERS.—Each member of
 15 the Commission shall be compensated at the annual rate
 16 of basic pay prescribed for level IV of the Executive Sched-
 17 ule under section 5315 of title 5, United States Code.

18 (b) STAFF.—

19 (1) APPOINTMENT AND TERMINATION.—

20 (A) IN GENERAL.—The Commission may,
 21 without regard to the provisions of title 5,
 22 United States Code, governing appointments in
 23 the competitive service, appoint and terminate
 24 an executive director and such other additional

1 personnel as may be necessary to enable the
2 Commission to perform its duties.

3 (B) CONFIRMATION OF EXECUTIVE DIREC-
4 TOR.—The employment of an executive director
5 shall be subject to confirmation by the Commis-
6 sion.

7 (2) COMPENSATION.—The Commission may fix
8 the compensation of the executive director and other
9 personnel without regard to chapter 51 and sub-
10 chapter III of chapter 53 of title 5, United States
11 Code, relating to classification of positions and Gen-
12 eral Schedule pay rates, except that the rate of pay
13 for the executive director and other personnel may
14 not exceed the rate payable for level V of the Execu-
15 tive Schedule under section 5316 of such title.

16 (c) DETAIL OF GOVERNMENT EMPLOYEES.—Any
17 Federal Government employee may be detailed to the
18 Commission without reimbursement, and such detail shall
19 be without interruption or loss of civil service status or
20 privilege.

21 (d) PROCUREMENT OF TEMPORARY AND INTERMIT-
22 TENT SERVICES.—The Commission may procure tem-
23 porary and intermittent services under section 3109(b) of
24 title 5, United States Code, at rates for individuals which
25 do not exceed the daily equivalent of the annual rate of

1 basic pay prescribed for level V of the Executive Schedule
2 under section 5316 of such title.

3 **SEC. 208. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) IN GENERAL.—Subject to subsection (b), there
5 are authorized to be appropriated to the Commission such
6 sums as may be necessary to carry out this title.

7 (b) FEDERAL ELECTION REFORM GRANTS.—For the
8 purpose of awarding grants under section 204, there are
9 authorized to be appropriated to the Commission—

10 (1) for each of fiscal years 2002 through 2006,
11 \$500,000,000; and

12 (2) for each subsequent fiscal year, such sums
13 as may be necessary.

14 **SEC. 209. OFFSET OF AUTHORIZED SPENDING.**

15 (a) IN GENERAL.—Budget authority provided as au-
16 thorized by this title shall be offset by reductions in budget
17 authority provided to existing programs.

18 (b) COMMITTEES ON APPROPRIATIONS.—The Com-
19 mittees on Appropriations of the House of Representatives
20 and the Senate shall reduce budget authority as required
21 by subsection (a) in any fiscal year that budget authority
22 is provided as authorized by this title.

1 **TITLE III—ELECTION ADMINIS-**
2 **TRATION ADVISORY BOARD**

3 **SEC. 301. ESTABLISHMENT OF THE ELECTION ADMINISTRA-**
4 **TION ADVISORY BOARD.**

5 There is established the Election Administration Ad-
6 visory Board (in this title referred to as the “Board”).

7 **SEC. 302. MEMBERSHIP OF THE BOARD.**

8 (a) NUMBER AND APPOINTMENT.—The Board shall
9 be composed of 24 members appointed by the Election Ad-
10 ministration Commission established under section 201 (in
11 this title referred to as the “Commission”) as follows:

12 (1) 12 members appointed by the chairperson
13 of the Commission.

14 (2) 12 members appointed by the vice chair-
15 person of the Commission.

16 (b) QUALIFICATIONS.—

17 (1) IN GENERAL.—Members appointed under
18 subsection (a) may—

19 (A) have experience administering State
20 and local elections; and

21 (B) be members of nongovernmental orga-
22 nizations concerned with matters relating to
23 Federal, State, or local elections.

24 (2) PROHIBITION.—A member of the Board ap-
25 pointed under paragraph (1) may not be a candidate

1 (as defined in section 301 of the Federal Election
 2 Campaign Act of 1971 (2 U.S.C. 431)), or hold a
 3 Federal office (as defined in such section) while
 4 serving as a member of the Board.

5 (3) FEDERAL OFFICERS AND EMPLOYEES.—No
 6 member of the Board may be an officer or employee
 7 of the Federal Government.

8 (c) DATE OF APPOINTMENT.—The appointments of
 9 the members of the Board under subsection (a) shall be
 10 made not later than 90 days after the date on which all
 11 the members of the Commission have been appointed
 12 under section 202.

13 (d) PERIOD OF APPOINTMENT; VACANCIES.—

14 (1) PERIOD OF APPOINTMENT.—Members shall
 15 be appointed for a period of 2 years.

16 (2) VACANCIES.—

17 (A) IN GENERAL.—A vacancy on the
 18 Board shall not affect its powers, but shall be
 19 filled in the manner in which the original ap-
 20 pointment was made. The appointment made to
 21 fill the vacancy shall be subject to any condi-
 22 tions that applied with respect to the original
 23 appointment.

24 (B) FILLING UNEXPIRED TERM.—An indi-
 25 vidual chosen to fill a vacancy on the Board oc-

1 curing prior to the expiration of the term for
 2 which the individual's predecessor was ap-
 3 pointed shall be appointed for the unexpired
 4 term of the member replaced.

5 (3) EXPIRATION OF TERMS.—A member of the
 6 Board may serve on the Board after the expiration
 7 of the member's term until the successor of such
 8 member has taken office as a member of the Board.

9 (e) CHAIRPERSON; VICE CHAIRPERSON.—

10 (1) IN GENERAL.—The Board shall elect a
 11 chairperson and vice chairperson from among its
 12 members to serve a term of 1 year.

13 (2) POLITICAL AFFILIATION.—The chairperson
 14 and vice chairperson may not be affiliated with the
 15 same political party.

16 **SEC. 303. DUTY OF THE BOARD.**

17 It shall be the duty of the Board to advise the Com-
 18 mission on matters relating to the administration of elec-
 19 tions upon the request of the Commission.

20 **SEC. 304. MEETINGS OF THE BOARD.**

21 (a) IN GENERAL.—The Board shall meet at the call
 22 of the chairperson.

23 (b) ANNUAL MEETING REQUIRED.—The Board shall
 24 meet not less often than annually.

1 (c) INITIAL MEETING.—Not later than 30 days after
2 the date on which all members of the Board have been
3 appointed, the Board shall hold its first meeting.

4 (d) QUORUM.—A majority of the members of the
5 Board shall constitute a quorum, but a lesser number of
6 members may hold hearings.

7 **SEC. 305. VOTING.**

8 Each action of the Board shall be approved by a ma-
9 jority vote of the members of the Board. Each member
10 of the Board shall have 1 vote.

11 **SEC. 306. BOARD PERSONNEL MATTERS.**

12 (a) COMPENSATION OF MEMBERS.—Each member of
13 the Board shall serve without compensation, notwith-
14 standing section 1342 of title 31, United States Code.

15 (b) TRAVEL EXPENSES.—Each member of the Board
16 shall be allowed travel expenses, including per diem in lieu
17 of subsistence, at rates authorized for employees of agen-
18 cies under subchapter I of chapter 57 of title 5, United
19 States Code, while away from their homes or regular
20 places of business in the performance of services for the
21 Board.

22 **SEC. 307. TERMINATION OF THE BOARD.**

23 Section 14 of the Federal Advisory Committee Act
24 (5 U.S.C. App.) shall not apply to the Board.

1 **SEC. 308. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There are authorized to be appro-
3 priated to the Board such sums as may be necessary to
4 carry out this title.

5 (b) AVAILABILITY.—Any sums appropriated under
6 the authorization contained in this section shall remain
7 available, without fiscal year limitation, until expended.

8 **TITLE IV—TRANSITION**
9 **PROVISIONS**

10 **Subtitle A—Transfer to Election**
11 **Administration Commission of**
12 **Functions Under Certain Laws**

13 **SEC. 401. FEDERAL ELECTION CAMPAIGN ACT OF 1971.**

14 (a) TRANSFER OF FUNCTIONS OF OFFICE OF ELEC-
15 TION ADMINISTRATION OF FEDERAL ELECTION COMMIS-
16 SION.—There are transferred to the Election Administra-
17 tion Commission established under section 201 all func-
18 tions which the Office of the Election Administration, es-
19 tablished within the Federal Election Commission, exer-
20 cised before the date of enactment of this Act.

21 (b) CONFORMING AMENDMENT.—Section 311(a) of
22 the Federal Election Campaign Act of 1971 (2 U.S.C.
23 438(a)) is amended—

24 (1) in paragraph (8), by inserting “and” at the
25 end;

1 (2) in paragraph (9), by striking “; and” and
 2 inserting a period; and

3 (3) by striking paragraph (10) and the second
 4 and third sentences.

5 **SEC. 402. UNIFORMED AND OVERSEAS CITIZENS ABSENTEE**
 6 **VOTING ACT.**

7 (a) **TRANSFER OF FUNCTIONS.**—There are trans-
 8 ferred to the Election Administration Commission estab-
 9 lished under section 201 all functions which the Presi-
 10 dential designee under title I of the Uniformed and Over-
 11 seas Citizens Absentee Voting Act (42 U.S.C. 1973ff et
 12 seq.) exercised before the date of enactment of this Act.

13 (b) **CONFORMING AMENDMENT.**—Section 101 of the
 14 Uniformed and Overseas Citizens Absentee Voting Act (42
 15 U.S.C. 1973ff) is amended by striking subsection (a) and
 16 inserting the following:

17 “(a) **PRESIDENTIAL DESIGNEE.**—The Election Ad-
 18 ministration Commission shall have primary responsibility
 19 for Federal functions under this title as the Presidential
 20 designee.”.

21 **SEC. 403. NATIONAL VOTER REGISTRATION ACT OF 1993.**

22 (a) **TRANSFER OF FUNCTIONS.**—There are trans-
 23 ferred to the Election Administration Commission estab-
 24 lished under section 201 all functions which the Federal
 25 Election Commission exercised under the National Voter

1 Registration Act of 1993 before the date of enactment of
2 this Act.

3 (b) CONFORMING AMENDMENT.—Section 9(a) of the
4 National Voter Registration Act of 1993 (42 U.S.C.
5 1973gg–7(a)) is amended by striking “Federal Election
6 Commission” and inserting “Election Administration
7 Commission”.

8 **SEC. 404. TRANSFER OF PROPERTY, RECORDS, AND PER-**
9 **SONNEL.**

10 (a) PROPERTY AND RECORDS.—The contracts, liabil-
11 ities, records, property, and other assets and interests of,
12 or made available in connection with, the offices and func-
13 tions of the Federal Election Commission which are trans-
14 ferred by this subtitle are transferred to the Election Ad-
15 ministration Commission for appropriate allocation.

16 (b) PERSONNEL.—The personnel employed in con-
17 nection with the offices and functions of the Federal Elec-
18 tion Commission which are transferred by this subtitle are
19 transferred to the Election Administration Commission.

20 **SEC. 405. EFFECTIVE DATE; TRANSITION.**

21 (a) EFFECTIVE DATE.—This title and the amend-
22 ments made by this title shall take effect upon the ap-
23 pointment of all members of the Election Administration
24 Commission under section 203.

(b) TRANSITION.—With the consent of the entity involved, the Election Administration Commission is authorized to utilize the services of such officers, employees, and other personnel of the entities from which functions have been transferred to the Commission under this title or the amendments made by this title for such period of time as may reasonably be needed to facilitate the orderly transfer of such functions.

Subtitle B—Coverage of Election Administration Commission Under Certain Laws and Programs

SEC. 411. TREATMENT OF COMMISSION PERSONNEL UNDER CERTAIN CIVIL SERVICE LAWS.

(a) COVERAGE UNDER HATCH ACT.—Section 7323(b)(2)(B)(i)(I) of title 5, United States Code, is amended by inserting “or the Election Administration Commission” after “Commission”.

(b) EXCLUSION FROM SENIOR EXECUTIVE SERVICE.—Section 3132(a)(1)(C) of title 5, United States Code, is amended by inserting “or the Election Administration Commission” after “Commission”.

1 **SEC. 412. COVERAGE UNDER INSPECTOR GENERAL ACT OF**
 2 **1978.**

3 (a) IN GENERAL.—Section 8G(a)(2) of the Inspector
 4 General Act of 1978 (5 U.S.C. App.) is amended by insert-
 5 ing “, the Election Administration Commission,” after
 6 “Federal Election Commission,”.

7 (b) EFFECTIVE DATE.—The amendment made by
 8 subsection (a) shall take effect 180 days after the appoint-
 9 ment of all members of the Election Administration Com-
 10 mission under section 203.

11 **TITLE V—ABSENT UNIFORMED**
 12 **SERVICES VOTERS**

13 **SEC. 501. MAXIMIZING ACCESS TO THE POLLS BY ABSENT**
 14 **UNIFORMED SERVICES VOTERS.**

15 (a) IN GENERAL.—Section 104 of the Uniformed and
 16 Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–
 17 3) is amended—

18 (1) in the matter preceding paragraph (1), by
 19 striking “it is recommended that the States” and in-
 20 serting “each State, in each election for Federal of-
 21 fice, shall”; and

22 (2) by striking the heading and inserting the
 23 following:

24 **“SEC. 104. MAXIMIZING ACCESS TO THE POLLS BY ABSENT**
 25 **UNIFORMED SERVICES VOTERS.”.**

26 (b) CONFORMING AMENDMENTS.—

1 (1) Section 101(b) of the Uniformed and Over-
 2 seas Citizens Absentee Voting Act (42 U.S.C.
 3 1973ff(b)) is amended—

4 (A) in paragraph (2), by striking “as rec-
 5 ommended in” and inserting “as required by”;
 6 and

7 (B) in paragraph (4), by striking “as rec-
 8 ommended in” and inserting “as required by”.

9 (2) Section 104 of such Act (42 U.S.C. 1973ff-
 10 3) is amended—

11 (A) by striking paragraph (4);

12 (B) by redesignating paragraphs (5)
 13 through (9) as paragraphs (4) through (8), re-
 14 spectively; and

15 (C) in paragraph (5) (as so redesignated),
 16 by striking “the State or other place where the
 17 oath is administered” and inserting “a State”.

18 **TITLE VI—MISCELLANEOUS**

19 **SEC. 601. RELATIONSHIP TO OTHER LAWS.**

20 (a) IN GENERAL.—Any right or remedy established
 21 by this Act is in addition to each other right and remedy
 22 established by law.

23 (b) SPECIFIC LAWS.—Nothing in this Act may be
 24 construed to authorize or to require conduct prohibited

1 under the following laws, or to supersede, to restrict, or
2 to limit such laws:

3 (1) The National Voter Registration Act of
4 1993 (42 U.S.C. 1973gg et seq.).

5 (2) The Voting Rights Act of 1965 (42 U.S.C.
6 1973 et seq.).

7 (3) The Rehabilitation Act of 1973 (42 U.S.C.
8 701 et seq.).

9 (4) The Americans with Disabilities Act of
10 1990 (42 U.S.C. 12101 et seq.).

11 (5) The Voting Accessibility for the Elderly and
12 Handicapped Act (42 U.S.C. 1973ee et seq.).

13 (c) EFFECT ON PRECLEARANCE REQUIREMENTS.—
14 Any approval or certification by the Election Administra-
15 tion Commission or the Assistant Attorney General for
16 Civil Rights of the application of a State or locality sub-
17 mitted under section 204(b)(1) shall not affect any re-
18 quirements for preclearance under section 5 of the Voting
19 Rights Act of 1965 (42 U.S.C. 1973c).

○